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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

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AMERICAN STEAMSHIP OWNERS	:
MUTUAL PROTECTION AND	:
INDEMNITY ASSOCIATION, INC.,	:
	:
Plaintiff,	:
	:
- against -	:
	:
ALCOA STEAMSHIP CO., INC., et al.,	:
	:
Defendants.	:
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04 Civ. 04309 (LAK)(JCF)

**DECLARATION OF
 DAVID MARTIN-CLARK**

I, David Martin-Clark, hereby declare the following pursuant to 28 U.S.C. §1746:

1. I am a citizen and resident of the United Kingdom and I reside near London.
2. I am currently self-employed as a consultant, arbitrator, mediator and teacher.
3. The facts stated herein are based upon my personal knowledge and/or review of

documents that have been marked as trial exhibits in this action, and the facts are true to the best of my knowledge and belief.

4. I was an employee of Thos. R. Miller & Son, managers of the United Kingdom Mutual Steam Ship Assurance Association Limited ("UK London Club") from 1961-1965 and then a partner of that firm from 1966-1999 when I retired. I was also, with effect from 30 June

1972, a partner in the firm of Thos R. Miller & Son (Bermuda), managers of The United Kingdom Mutual Steam Ship Assurance Association (Bermuda) Ltd ("UK Bermuda Club") and I remained a partner in that firm until my retirement in 1999.

5. The UK Bermuda Club was, in effect, the successor to the business of the UK London Club, which ceased underwriting on 20 February 1971. Thos R. Miller & Son acted as London agents for Thos R. Miller & Son (Bermuda). I refer to the two Clubs collectively as the "UK Club".

6. Between about October 24 and 28, 2005, I obtained copies of portions of the documents listed below in paragraphs 13 – 16 from the UK Club's archive, maintained at the offices of Thomas Miller & Co Ltd, successor in business to the partnership of Thos R. Miller & Son, in a locked store room and thereafter obtained full and complete copies thereof.

7. First, I spoke with the chairman of Thomas Miller & Co Ltd to obtain permission to access the U.K. Club's archives and the documents referenced herein. I then applied to the archivist. She consulted her records and I identified the documents I wanted to retrieve. Next, the archivist and I descended into the basement of the building where the archives are kept, opened a locked door, and went into the store room.

8. In the store room, the archivist consulted filing boxes and produced documents I had identified. I began reviewing the documents in the store room, and then took the documents upstairs to review them and I made or had copies made of the documents.

9. The UK Club's archives and general storage were kept in the Thomas Miller & Co Ltd building and within that building in the basement was the "store room" that was kept locked. There was limited access to the archives in the locked store room.

10. It was and to the best of my knowledge still is the standard practice of the UK Club to maintain a copy of each year's Rules, Minutes of Meetings of the Directors, and Annual Reports in the store room. This is the place where such documents should be kept, typically were kept, and were reasonably expected to be found. This was standard practice.

11. The documents listed in paragraphs 13-16 and 18-20 below have been in existence for at least twenty (20) years. Those documents, to the best of my knowledge, have been in the UK Club's archives/files for at least twenty (20) years.

12. I have reviewed the below-referenced documents, as they are marked as exhibits, and each document is what it purports to be.

13. PX16 (bearing Bates numbers AC0086391-AC0086424) is a true and accurate copy of the 1965 UK Club Rules.

14. PX18 is a true and accurate copy of the Special Resolution of the UK Club passed on January 20, 1966.

15. PX19 (bearing Bates numbers AC086449-AC086474) is a true and accurate copy of the 1966 UK Club Rules.

16. PX20 (bearing Bates numbers AC086425-AC086448) is a true and accurate copy of the 1966 UK Club Annual Report.

17. As regards the documents listed in paragraphs 18 – 21 below, I have compared the copies that I have been sent with the originals in the UK Club's archives. I made this comparison in the offices of Thomas Miller & Co Ltd on 8 May 2006. The documents listed in paragraphs 18-21 are exact duplicates of the originals which are kept in the store room.

18. PX25 (bearing Bates numbers AC086499-AC086514) is a true and accurate copy of the 1969 UK Bermuda Club Rules.

19. PX 43 is a true and accurate copy of the 1980 UK Bermuda Club Rules.

20. PX49 (bearing Bates numbers AC086515-AC0086557) is a true and accurate copy of the 1981 UK Bermuda Club Rules.

21. PX239 (bearing Bates numbers AC0086635-AC0086746) is a true and accurate copy of the 2000 UK Bermuda Club Rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 9, 2006


David Martin-Clark